

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL SCHILLER, *et al.*,

Plaintiffs,

-v-

CITY OF NEW YORK, *et al.*,

Defendants.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/14/2011

No. 04 Civ. 7922 (RJS)
ORDER
[DOCKET IN ALL RELATED RNC
CASES]

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of the following submissions: (1) a letter from Plaintiffs, dated December 14, 2011, requesting leave to physically file with the Clerk of the Court a DVD and to file documents not previously submitted in support of disputed facts in Plaintiff's Rule 56.1 Statement; and (2) a letter from Defendants, dated December 14, 2011, consenting to the first request and objecting to the second.

On September 30, 2011, the Court issued an Order directing the parties to submit only limited documents in support of their Rule 56.1 Statements in connection with their motions for summary judgment, but noted that "[i]n the event that a fact is disputed by an opposing party, the party asserting the fact shall have an opportunity to produce the relevant document." On November 22, 2011, the Court issued an Order setting forth limitations on reply briefing, but noting that the ordinary limits on exhibits would be lifted to the extent that the parties submitted documentation to support disputed facts in their Rule 56.1 Statements that had not been submitted pursuant to the September 30, 2011 Order. Although it should have been clear from the November 22, 2011 Order that the parties were to submit the documents that Plaintiffs now


seek to file at the time their reply briefing was due -- November 23, 2011 -- the Court sees no prejudice to any party from allowing Plaintiffs to make those submissions now.

Accordingly, IT IS HEREBY ORDERED THAT Plaintiffs may physically file the DVD described in their letter with the Clerk of the Court.

IT IS FURTHER ORDERED THAT Plaintiffs shall file any documents in support of disputed facts in their Rule 56.1 Statements no later than December 21, 2011. As stated in the Court's November 22, 2011 Order, Plaintiffs are directed to limit such exhibits to provide only the relevant and necessary portions.

SO ORDERED.

DATED: December 14, 2011
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE

A copy of this Order was mailed to:

Joseph P. Carranza
P.O. Box 575060
Whitestone, NY 11357-5060